

between a safety position for preventing the motor from being turned on and for actuating said braking device and a release position for allowing the motor to be turned on and releasing said braking device, wherein a locking mechanism is arranged for placing said clamping lever in a clamped state in which it is unlocked in the safety position of said safety element (4) and is in a locked state in the release position of said safety element.

### **REMARKS**

Claims 1, 2 and 3 are in the application. Claim 1 has been amended to overcome the claim objection, and to overcome the claim rejection under 35 U.S.C. 112.

Claims 1-3 were rejected under 35 U.S.C. 102 (b) as anticipated by Becht, et al ('000).

### **BECHT, ET AL 5,094,000**

Becht, et al discloses a hand-held power tool with a rotary driven tool.

The rejection is based on a hook element 15' engaging in recess 21' and a bolt 47. It is assumed that these parts refer to the applicants' claimed pivotally displaceable clamping lever 12 and the locking mechanism set forth in the last four lines of Claim 1.